

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

LISA CHAMBERS,	:	NO. 1:13-CV-00399
	:	
Plaintiff,	:	
	:	<b>ORDER</b>
v.	:	
	:	
SUN WEST MORTGAGE, COMPANY,	:	
INC., et al.,	:	
	:	
Defendants.	:	

This matter is before the Court on the Magistrate Judge's May 28, 2014 Report and Recommendation (doc. 28), to which no objection has been filed. The Magistrate Judge found the parties entered into a valid arbitration agreement governing Plaintiff's claims. The Magistrate Judge therefore recommended that the Court grant the Motion to Dismiss (doc. 11) without prejudice so as to allow Plaintiff to pursue resolution of her claims against Defendant pursuant to the parties' arbitration agreement (doc. 28).

Proper notice was provided to the Parties under Title 28 U.S.C. § 636(b)(1)(C), including the notice that they would waive further appeal if they failed to file an objection to the Magistrate Judge's Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947, 949-50 (6<sup>th</sup> Cir. 1981).

Having reviewed this matter de novo, pursuant to Title 28 U.S.C. § 636, the Court concludes that the Magistrate Judge's Report and Recommendation is correct.

Accordingly, the Court ADOPTS and AFFIRMS the Report and Recommendation in all respects (doc. 28), GRANTS Defendant's Motion for Summary Judgment (doc. 11), and DISMISSES this matter without prejudice. The Court further CERTIFIES pursuant to 28 U.S.C. § 1915(a) that an appeal of this Order would not be taken in good faith and therefore the Court DENIES Plaintiff leave to appeal in forma pauperis. Plaintiff remains free to apply to proceed in forma pauperis in the Court of Appeals. Callihan v. Schneider, 178 F.3d 800, 803 (6<sup>th</sup> Cir. 1999).

SO ORDERED.

Dated: June 24, 2014

s/S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge